IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION DOCKET NO. 5:07-CR-33-RLV-DCK

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
V.)	ORDER
)	
MICHAEL JEROME HAMPTON,)	
)	
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT on the Defendant's "Motion to Modify Orders of Detention to Allow Attendance at Funeral" (Document No. 23), filed February 28, 2008. In his motion, Defendant essentially asks for release from detention for one day to attend the funeral of his father. The Court is not without sympathy for the Defendant's situation. However, while the Court regrets the Defendant's loss, this motion must be and is denied.

On January 14, 2008, the Defendant entered a plea of guilty before the undersigned to two counts charging possession with intent to distribute over 50 grams of cocaine base. Accordingly, the Defendant is currently being held without bond pending sentencing consistent with the provisions of 18 U.S.C. § 3143(a). In the opinion of the undersigned, the Bail Reform Act does not authorize the relief requested by the Defendant here - temporary release to attend a family funeral subsequent to a guilty plea to a drug offense. The undersigned also notes that the government opposes the motion on the grounds that the Defendant represents a risk of flight and a danger to the community.

IT IS, THEREFORE, ORDERED that the Defendant's "Motion to Modify Orders of Detention to Allow Attendance at Funeral" (Document No. 23) is hereby **DENIED**.

Signed: February 29, 2008

David C. Keesler
United States Magistrate Judge